

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Sriakhil Gogineni,

Plaintiff,

v.

Case No. 20-mc-50443

Equifax Credit Information Services, Inc.,
and Equifax, Inc.,

Sean F. Cox
United States District Court Judge

Defendant.

**ORDER FOR DEFENDANTS TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE
REMANDED TO THE STATE COURT AS IMPROPERLY TRANSFERRED**

Plaintiff originally filed this lawsuit against Defendants in the 35th District Court of the State of Michigan. On February 25, 2020, the state court entered a stipulation and order that purported to transfer the case to this Court under 28 U.S.C. § 1404. Because no party paid the appropriate filing fee and because Defendants did not file a notice of removal, the Clerk of the Court opened this case on a miscellaneous docket.

The Court is not convinced that this case is properly before it. 28 U.S.C. § 1404 appears to govern when a federal district court may change a case's venue to another federal district court. That statute does not allow a *state* district court to transfer a case to a *federal* district court, and thereby sidestep the typical mechanism for removal and the need for some party to pay the appropriate filing fee or fee related to a notice of removal.

Accordingly, the Court **ORDERS** Defendants to **SHOW CAUSE**, in writing, why this case should not be remanded to the state court as improperly transferred. Defendants' response to this order shall be filed **on or before April 15, 2020.**

IT IS SO ORDERED.

Dated: April 1, 2020

s/Sean F. Cox
Sean F. Cox
U. S. District Judge